

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

No. 2368

---

### Introduced by Assembly Member Block

February 24, 2012

---

An act to amend Section 38000 of the Education Code, relating to school security.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2368, as amended, Block. School security: security departments: *school police departments*.

Existing law authorizes the governing board of a school district to establish a security department under the supervision of a chief of security, or a police department under the supervision of a chief of police, *and authorizes the governing board to employ personnel to ensure the safety of school district personnel and pupils and the security of the real and personal property of the school district. Existing law also authorizes a school district to assign a school police reserve officer who is deputized pursuant to a specified provision to a schoolsite to supplement the duties of school police personnel.* Existing law ~~also~~ expresses the ~~intent~~ *intention* of the Legislature that a school district police or security department is supplementary to city and county law enforcement agencies and is not vested with general police powers.

This bill would *authorize the governing board of a school district to establish a school police department under the supervision of a school chief of police and would authorize the employment of personnel as necessary to enforce the law on or about the properties of the school district or when performing necessary duties with respect to pupils, school district personnel, and properties of the school district. The bill*

would delete the authority of a school district to assign a school police reserve officer who is deputized pursuant to a specified provision to a schoolsite to supplement the duties of school police personnel. The bill would instead express the intent of the Legislature that only a school district security department is supplementary to city and county law enforcement agencies and is not vested with general police powers.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 38000 of the Education Code is amended  
2 to read:

3 38000. (a) The governing board of a school district may  
4 establish a security department under the supervision of a chief of  
5 security ~~or a police department under the supervision of a chief of~~  
6 ~~police~~; as designated by, and under the direction of, the  
7 superintendent of the school district. In accordance with Chapter  
8 5 (commencing with Section 45100) of Part 25, the governing  
9 board of a school district may employ personnel to ensure the  
10 safety of school district personnel and pupils and the security of  
11 the real and personal property of the school district. ~~In addition, a~~  
12 ~~school district may assign a school police reserve officer who is~~  
13 ~~deputized pursuant to Section 35021.5 to a schoolsite to supplement~~  
14 ~~the duties of school police personnel pursuant to this section. It is~~  
15 ~~the intention~~ intent of the Legislature in enacting this section that  
16 a school district security department is supplementary to city and  
17 county law enforcement agencies and is not vested with general  
18 police powers.

19 (b) *The governing board of a school district may establish a*  
20 *school police department under the supervision of a school chief*  
21 *of police and, in accordance with Chapter 5 (commencing with*  
22 *Section 45100) of Part 25, may employ personnel as necessary to*  
23 *enforce the law on or about the properties of the school district*  
24 *or when performing necessary duties with respect to pupils, school*  
25 *district personnel, and properties of the school district.*

26 ~~(b)~~

27 (c) The governing board of a school district that establishes a  
28 security department or a police department shall set minimum  
29 qualifications of employment for the chief of security or school

1 chief of police, respectively, including, but not limited to, prior  
2 employment as a peace officer or completion of ~~any~~ a peace officer  
3 training course approved by the Commission on Peace Officer  
4 Standards and Training. A chief of security or *school* chief of  
5 police shall comply with the prior employment or training  
6 requirement set forth in this subdivision as of January 1, 1993, or  
7 a date one year subsequent to the initial employment of the chief  
8 of security or *school* chief of police by the school district,  
9 whichever occurs later. This subdivision shall not be construed to  
10 require the employment by a school district of ~~any~~ additional  
11 personnel.

O